

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1188 be amended to read as follows:

- 1 Page 1, line 6, delete "satellite" and insert "**other**".
- 2 Page 2, between lines 7 and 8, begin a new paragraph and insert:
- 3 "SECTION 4. IC 4-31-2-17.5 IS ADDED TO THE INDIANA
- 4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2004]: **Sec. 17.5. "Pull tab licensee" means a person**
- 6 **holding a license to sell pari-mutuel pull tabs under IC 4-31-7.5."**
- 7 Page 7, delete lines 39 through 42.
- 8 Page 8, delete lines 1 through 16.
- 9 Page 9, line 40, delete "that holds a permit to conduct a pari-mutuel"
- 10 and insert "**licensed to sell pari-mutuel pull tabs under section 4 of**
- 11 **this chapter."**
- 12 Page 9, delete line 41.
- 13 Page 10, line 33, delete "permit holder or group of permit holders"
- 14 and insert "**person**".
- 15 Page 10, line 34, delete "chapter at" and insert "**chapter. A separate**
- 16 **license is required to sell pari-mutuel pull tabs at each of**".
- 17 Page 10, line 35, after "chapter." insert "**The commission shall**
- 18 **issue a license to sell pari-mutuel pull tabs at a live pari-mutuel**
- 19 **horse racing facility to a permit holder that meets the**
- 20 **requirements of this section. A permit holder may also apply for**
- 21 **a license to sell pari-mutuel pull tabs in an allowed city at a**
- 22 **satellite or other facility operated by the permit holder."**
- 23 Page 10, line 35, delete "permit" and insert "**person**".

- 1 Page 10, line 36, delete "holder".
- 2 Page 10, line 38, delete "permit holder" and insert "**person**".
- 3 Page 10, line 39, delete "permit holder" and insert "**person**".
- 4 Page 11, line 8, delete "permit holder" and insert "**pull tab licensee**".
- 5 Page 11, line 10, delete "permit holder holding a pari-mutuel pull tab
- 6 license" and insert "**pull tab licensee**".
- 7 Page 11, line 12, delete "permit holder" and insert "**pull tab**
- 8 **licensee**".
- 9 Page 11, line 15, delete "permit holder" and insert "**pull tab**
- 10 **licensee**".
- 11 Page 11, line 16, delete "permit" and insert "**pull tab licensee**".
- 12 Page 11, line 17, delete "holder".
- 13 Page 11, line 18, delete "permit holder" and insert "**pull tab**
- 14 **licensee**".
- 15 Page 11, line 19, delete "permit holder" and insert "**pull tab**
- 16 **licensee**".
- 17 Page 11, line 22, after "chapter" insert "**to authorize the sale of**
- 18 **pari-mutuel pull tabs in an allowed city**".
- 19 Page 11, line 22, delete "permit holders have:" and insert "**pull tab**
- 20 **licensee, on or before April 1, 2005, has**".
- 21 Page 11, line 23, delete "(1)".
- 22 Page 11, run in lines 22 through 23.
- 23 Page 11, line 23, after "mayor of" delete "an" and insert "**the**".
- 24 Page 11, line 25, delete "satellite" and insert "**pull tab**".
- 25 Page 11, line 26, delete "city; and" and insert "**city. The issuance of**
- 26 **a license to authorize the sale of pari-mutuel pull tabs in a**
- 27 **particular allowed city is not contingent upon the execution of an**
- 28 **agreement with the mayor of any other allowed city.**".
- 29 Page 11, delete lines 27 through 31.
- 30 Page 11, line 32, delete "the permit holders" and insert "**a pull tab**
- 31 **licensee**".
- 32 Page 11, line 38, delete "satellite" and insert "**pull tab**".
- 33 Page 12, line 3, delete "permit holder" and insert "**pull tab licensee**".
- 34 Page 12, line 5, delete "permit holder's" and insert "**pull tab**
- 35 **licensee's**".
- 36 Page 12, line 18, delete "permit holder" and insert "**pull tab**
- 37 **licensee**".
- 38 Page 12, line 35, delete "permit" and insert "**pull tab licensee**".
- 39 Page 12, line 36, delete "holder".
- 40 Page 13, delete lines 26 through 32.
- 41 Page 13, line 33, delete "(n)" and insert "**(m)**".
- 42 Page 14, between lines 6 and 7, begin a new paragraph and insert:
- 43 "**(n) In determining whether to grant a license under this**

1 section to permit the sale of pari-mutuel pull tabs in an allowed
2 city to an applicant, the commission shall consider the following:

3 (1) The character, reputation, experience, and financial
4 integrity of the following:

5 (A) The applicant.

6 (B) A person that:

7 (i) directly or indirectly controls the applicant; or

8 (ii) is directly or indirectly controlled by the applicant or
9 by a person that directly or indirectly controls the
10 applicant.

11 (2) The facilities or proposed facilities for sale of pari-mutuel
12 pull tabs in the allowed city. The applicant must submit to the
13 commission a proposed design of the pull tab facility for the
14 purposes of this subdivision.

15 (3) The highest prospective total revenue to be collected by
16 the state from the sale of pari-mutuel pull tabs in the allowed
17 city.

18 (4) The good faith affirmative action plan of each applicant to
19 recruit, train, and upgrade minorities in all employment
20 classifications.

21 (5) The financial ability of the applicant to purchase and
22 maintain adequate liability and casualty insurance.

23 (6) Whether the applicant has adequate capitalization to
24 operate a pull tab facility.

25 (7) The extent to which the applicant provides assurances
26 that the applicant will participate in the funding of:

27 (A) specific economic development programs; or

28 (B) infrastructure improvements;

29 in the allowed city.

30 (8) The extent to which the applicant exceeds or meets other
31 standards adopted by the commission.

32 (o) Notwithstanding any other law, a licensed owner (as defined
33 in IC 4-33-2-13) may apply for a license to sell pari-mutuel pull
34 tabs in an allowed city."

35 Page 14, line 8, delete "permit holder" and insert "**pull tab licensee**".

36 Page 14, line 21, delete "permit holder" and insert "**pull tab**
37 **licensee**".

38 Page 14, line 21, delete "permit holder's" and insert "**pull tab**
39 **licensee's**".

40 Page 14, line 22, delete "satellite facility, or both;" and insert "**pull**
41 **tab facility**";.

42 Page 14, line 23, delete "permit holder" and insert "**pull tab**
43 **licensee**".

1 Page 14, line 23, after "at the" delete "permit" and insert "**pull tab**
2 **licensee's**".

3 Page 14, line 24, delete "holder's".

4 Page 14, line 24, delete "satellite facility, or both." and insert "**pull**
5 **tab facility**".

6 Page 14, line 36, delete "permit holder" and insert "**pull tab**
7 **licensee**".

8 Page 14, line 37, after "7." insert "**(a)**".

9 Page 14, between lines 38 and 39, begin a new paragraph and insert:
10 "**(b) A person less than twenty-one (21) years of age may not**
11 **enter the part of a pull tab facility in which pari-mutuel pull tabs**
12 **are sold and redeemed**".

13 Page 15, line 3, delete "satellite" and insert "**pull tab**".

14 Page 15, line 3, delete "this article" and insert "**section 4 of this**
15 **chapter**".

16 Page 15, delete lines 5 through 11, begin a new paragraph and insert:

17 "**Sec. 10. (a) A permit holder licensed to sell pari-mutuel pull**
18 **tabs under section 4 of this chapter may not install more than one**
19 **thousand (1,000) pull tab terminals or devices on the premises of**
20 **the permit holder's live pari-mutuel horse racing facility.**

21 **(b) A pull tab licensee licensed under section 4 of this chapter**
22 **to sell pari-mutuel pull tabs in an allowed city may not install**
23 **more than one thousand (1,500) pull tab terminals or devices on**
24 **the premises of the pull tab licensee's pull tab facility**".

25 Page 15, line 18, delete "permit holder" and insert "**pull tab**
26 **licensee**".

27 Page 15, line 21, delete "permit holder." and insert "**pull tab**
28 **licensee**".

29 Page 15, line 28, delete "permit holders" and insert "**pull tab**
30 **licensees**".

31 Page 16, line 19, delete "permit holder." and insert "**pull tab**
32 **licensee**".

33 Page 17, line 1, delete "that:" and insert "**that**"

34 Page 17, delete lines 2 through 3.

35 Page 17, line 4, delete "(2)".

36 Page 17, run in lines 1 through 4.

37 Page 17, line 10, delete "permit holder," and insert "**pull tab**
38 **licensee**".

39 Page 17, line 11, delete "permit holder" and insert "**pull tab**
40 **licensee**".

41 Page 17, line 25, delete "permit holder" and insert "**pull tab**
42 **licensee**".

43 Page 17, line 38, delete "permit holder" and insert "**pull tab**

- 1 **licensee".**
- 2 Page 18, line 3, delete "permit holder" and insert "**pull tab licensee**".
- 3 Page 20, line 12, delete "permit" and insert "**pull tab licensee**".
- 4 Page 20, line 13, delete "holder".
- 5 Page 20, line 14, delete "permit holder's" and insert "**pull tab**
- 6 **licensee's**".
- 7 Page 22, between lines 40 and 41, begin a new paragraph and insert:
- 8 "SECTION 20. IC 4-33-2-16.5 IS ADDED TO THE INDIANA
- 9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2004]: **Sec. 16.5. "Pull tab licensee" means a person**
- 11 **holding a license to sell pari-mutuel pull tabs under IC 4-31-7.5."**
- 12 Page 23, line 37, delete "permit holder" and insert "**pull tab**
- 13 **licensee**".
- 14 Page 24, line 15, delete "IC 4-31;" and insert "**IC 4-31 or this**
- 15 **article;**".
- 16 Page 24, line 21, delete "permit holder" and insert "**pull tab**
- 17 **licensee**".
- 18 Page 24, line 28, delete "permit holders" and insert "**pull tab**
- 19 **licensees**".
- 20 Page 24, line 35, delete "permit holders" and insert "**pull tab**
- 21 **licensees**".
- 22 Page 24, line 41, delete "satellite" and insert "**pull tab**".
- 23 Page 25, line 1, delete "permit holder" and insert "**pull tab licensee**".
- 24 Page 25, line 2, delete "permit holder." and insert "**pull tab**
- 25 **licensee.**".
- 26 Page 33, line 27, delete "permit holder" and insert "**pull tab**
- 27 **licensee**".
- 28 Page 33, line 41, delete "permit holder" and insert "**pull tab**
- 29 **licensee**".
- 30 Page 36, line 37, delete "satellite" and insert "**pull tab**".
- 31 Page 36, line 38, delete "IC 4-31-7.5." and insert "**IC 4-31-7.5 in an**
- 32 **allowed city.**".
- 33 Re-number all SECTIONS consecutively.
- (Reference is to HB 1188 as printed January 23, 2004.)

Representative Murphy